

Worksheet for Residential Subcommittee Prepared by Staff

Residential Subcommittee Worksheet 1
Minimum Floor Area

Introduction

There has been much discussion at our weekly staff coordination meetings about the current minimum floor area requirements for residential buildings. This memo is intended to summarize and provide information on the issue in order to help the residential subcommittee develop proposed requirements for the updated zoning ordinance.

Current Requirements

Our current requirements are included on a separate sheet.

Requirements in other Municipalities

Attached is a table showing the minimum requirements in other local municipalities. Everyone has their own unique requirements. However, they generally, with a few exceptions, fall into a fairly narrow range. Our current requirements are in line with those around the area.

Discussion

The minimum floor area requirements have been a hot topic at our weekly staff coordination meetings. Some have argued that Gaines is getting too high of a proportion of entry-level housing and that the minimum requirements should be raised to prevent neighborhoods that become blighted in the future. I agree that possible blighting is a legitimate concern. Observers are already noting this phenomenon in the first ring of suburbs around cities. As the growth areas move further out to the edges of metropolitan areas, some of the first ring of suburbs display symptoms of blight more commonly associated with inner city neighborhoods. There is no guarantee that these problems will not occur in the current outer ring of growth once it is no longer the high growth area. There are some neighborhoods whose main selling point is that the homes in them are new. But there may be few other amenities to make them attractive neighborhoods in the future. What happens in 20 to 30 years, when the newness of the subdivision wears off?

I agree that the problem described above could be a real problem. However, I have concerns that raising the minimum floor area requirement is the way to solve it. My concerns include:

1. Are minimum floor area requirements the real cause of the problem?

In my opinion, the problem of potential blighting is broader than our minimum floor area requirements simply being too low. There is not necessarily a direct correlation between the size of homes and blighting. A subdivision of poorly-designed 1080 square foot homes can be just as unattractive as a neighborhood of poorly-designed 1300 square foot homes. To avoid blighting we need to create good neighborhoods that will remain attractive in the future. The Township needs well-designed neighborhoods with amenities that will make them attractive places to live now and in

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the future when the newness wears off. I think there are things more important than the size of houses in making a neighborhood a good neighborhood or a bad neighborhood. Some of the amenities that can make a neighborhood a good place include good public spaces such as parks and attractive streets. They include having places to go, such as schools, and easy ways to get there, such as sidewalks or trails. Landscaping and buffers play a role. A municipality can more easily regulate these types of things because they deal with public spaces rather than the private space of the house. Even when we look at the design of houses, I think there are things more important than size as to whether or not their aesthetics contribute to a good neighborhood. For example, whether the garage is the dominant feature of the house or whether there are a variety of housing styles in the development. A municipality could use minimum floor area requirement as a crutch to get some of these amenities on the theory that an upscale development is more likely to provide them. However, that would likely only work if it raised the requirements so high that we only allow upscale housing in the Township. Doing so raises serious legal and ethical issues. We should not try to solve potential blighting problems by restricting affordable housing, but by providing quality affordable housing in good neighborhoods.

2. What is the rationale behind the rules?

There is a history to minimum floor requirements that we need to keep in mind when setting the regulations. Minimum floor area requirements were one of the first zoning regulations. In fact, their origin predates the first zoning ordinance. Large cities, such as New York City, introduced them to relieve overcrowding conditions in tenements. The first rationale was that people needed a certain amount of living area to have a decent quality of life. The second rationale represents zoning's dark side. Too often, municipalities have used zoning to keep people out of communities. Regulations such as high minimum floor area requirements and large minimum lot sizes can be set to effectively price out the poor from a community. This use of zoning is called exclusionary zoning and it is illegal and unethical. We need to be careful about what our rationale is for setting the requirements.

3. What is the government's role in minimum floor area requirements?

Government's actions should be limited to those that further a legitimate purpose of government. When there is no legitimate purpose being served, government should not get involved. For the most part, I think the free market can capably handle the issue of how large houses should be and government interference is unnecessary. One legitimate purpose for minimum floor area regulations is to ensure that people have a decent quality living environment by preventing overcrowding. The minimum house size should then be based on dwelling unit occupancy - on how much space is needed to live. It is important to remember that we are dealing with minimum size requirements. Twenty-six percent of Michigan's population lives in one person households - over 58% of those households live in owner-occupied housing. If a single person or a couple want to buy a small house because that is all they need and want to maintain, is it fair for the government to require them to buy a larger house than they need? The other possible rationale is aesthetics. The size of the house contributes to its massing and how it looks from the street. However, I think other factors as discussed above are more important here.